

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH DAKOTA
NORTHERN DIVISION

* * * * *

RUSHMORE GROUP, LLC,
a South Dakota Corporation,

Plaintiff,

vs.

SAP AMERICA, INC.,
a Delaware Corporation,

Defendant.

* Civ. 11-1031

*

*

NOTICE OF DISMISSAL

*

*

*

* * * * *

No Answer or Motion for Summary Judgment having been filed, Plaintiff hereby voluntarily dismisses the above-entitled matter pursuant to Rule 41(a)(1)(A) of the Federal Rules of Civil Procedures.

Dated this 6th day of October, 2011.

SIEGEL, BARNETT & SCHUTZ, L.L.P.

/s/ Reed Rasmussen

Reed Rasmussen

415 S. Main Street, 400 Capitol Building

PO Box 490

Aberdeen, SD 57402-0490

Telephone No. (605) 225-5420

Facsimile No. (605) 226-1911

rrasmussen@sbslaw.net

and

Terry P. Duggins

The Duggins Law Firm, LLC

The Lowry Building

350 St. Peter Street, Suite 224

St. Paul, MN 55102

Telephone No. (651) 490-0222

terry@dugginslawfirm.com

Attorneys for Plaintiff

CERTIFICATE OF SERVICE

The undersigned, attorneys for Rushmore Group, LLC, hereby certifies that on the 6th day of October, 2011, a true and correct copy of the foregoing NOTICE OF DISMISSAL was served electronically to the following:

Mr. Daniel E. Ashmore
PO Box 8045
Rapid City, SD 57709-8045

Dated this 6th day of October, 2011.

SIEGEL, BARNETT & SCHUTZ, L.L.P.

/s/ Reed Rasmussen